Guidance for undertaking a safeguarding investigation

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Guidance for undertaking a safeguarding investigation

Introduction
This document provides guidance to officers undertaking safeguarding investigations as requested by the Safeguarding Adults team. These could be single or multi agency investigations. For more complex situations and certainly where institutional abuse is suspected or has occurred the Safeguarding Adult’s Team Senior Practitioner or their manager will be the investigating officer. This guidance must be used in conjunction with the Adult Safeguarding Procedures of the Safeguarding Partnership Board which can be found here.

Identifying the investigating officer
The investigating officer is identified and agreed at the strategy meeting/discussion. In deciding who should be the investigating officer the following three conditions will be considered:

1. It is a manager or a person in a position of sufficient seniority who has not directly line managed/supervised any of the staff involved in the case

2. It is a manager or professional who has the level of experience and professional knowledge to be able to critically analyse the situation, including collation and synthesis of information from a variety of sources

3. It is a manager or professional who is sufficiently independent of the staff or services involved in the case

If you have been identified as a possible investigating officer it is important to think about whether you can conduct the investigation neutrally and discuss with your line manager or the Safeguarding Senior Practitioner if you are concerned in any way. Questions you may consider are:

- Is there any way that I can be perceived to be biased?
- Are there any issues for which I could feel a deep empathy?
• Do I have any investment in the outcome?
• Are there any issues that I have been personally affected by in the last 12 months, or more?

**Supervision and Support for Investigating Officers**

The safeguarding senior practitioner who is co-ordinating the investigation will offer supervision, support and guidance in relation to the safeguarding investigation. This is the case whether you have been asked to investigate an allegation in part or in full. Where the senior safeguarding practitioner is the investigating officer they will be supervised and supported by their line manager. The safeguarding senior practitioner will keep in touch with you and as part of the investigation plan you will agree in advance the minimum arrangements for phone contact/meetings.

Please ensure you are clear about the allegations that require investigation and your role within the Investigation. Please ensure you contact the safeguarding senior practitioner to clarify if needed and certainly before you begin any investigative processes.

You will receive formal notification of the requirements through the Partner Report/Investigation report and/or as detailed on the strategy meeting minutes.

Investigating Officers are reminded that keeping to schedule is important and most investigations will be complete within 28 days. If there is a need to operate outside timescales you must discuss this with the safeguarding senior practitioner who is co-ordinating the investigative process as soon as possible.

It may be the investigation could create significant extra workload and it is important that your agency supports you if you are undertaking an investigation. This may include reviewing your workload to ensure you have sufficient working time to complete the investigation within timescales. In addition you should have access to appropriate administrative support as needed.

This guidance should support you in undertaking the investigation in a way that is efficient and effective.

**Planning an investigation**

The effectiveness of an investigation lies in the preparation and planning.

There are 4 stages to an investigation.

1. **Forming neutral and objective statements of allegations.**
2. **Developing hypotheses- possible explanations for why this has allegedly happened.**
3. Dividing the investigation to form a structure.

4. The Investigation plan.

1. **Forming neutral and objective statements of allegations.**

   It is important to remove the emotion and judgement from the statement of allegation as sometimes the allegation can be expressed subjectively or can be emotive. It is vital that you get the allegations framed effectively and will be done in conjunction with the Safeguarding Senior Practitioner who is overseeing the case.

   The statement[s] of allegation[s] will follow through the whole safeguarding process.

   For example,

   “Tom has stated that his cleaner has stolen money from his wallet”

   Please note:

   - In any adult at risk safeguarding investigation there needs to be an **abusive** action and a **person or organisation** allegedly responsibly in the allegation
   - Each allegation should always address one abusive action only.
   - If there is more than one incident of abuse then they need to be separated out.

2. **Developing a full range of hypotheses - The possible explanations.**

   It is important to remain open minded and identity possible reasons why this happened. – The hypotheses. This is simply a means of thinking beyond the obvious explanation. The idea of this is to enable you to think beyond your first assumption/judgement and be aware of your assumptions/judgements.

   For example

   “Tom has stated that his cleaner has stolen money from his wallet”

   The possible explanations could be

   a) Tom’s cleaner is stealing money from him.

   b) Tom is making this up as he doesn’t like the cleaner that the agency send.

   c) Tom has developed a cognitive impairment that makes him think money has gone missing
d) Someone else has stolen Tom’s money.
e) Tom has accidentally misplaced the money.

It is important to be open minded and consider every possibility.

3. Structuring your investigation.

This can be said to be divided into the “four Ps”. They are

- People
- Paper
- Parts
- Places

People and paper will always need to be considered. Parts and places may not always need to be.

The key thing is to go through all four in your thinking.

For example, the “four p” components are directly related to your hypothesis/possible explanations. For example, looking at the information below the walking frame would be in parts and the space where Tom sits in places. This means that you can check and then demonstrate an objective, neutral and robust investigation.

For example,

- People to consider

Tom, Tom’s family. The care home manager, Tom’s key worker, his GP.

- Papers to consider

Tom’s care plan, the care home records, incident reports, risk assessments.

- Parts to consider

Tom’s walking frame

- Places to consider

The care home itself and the place where Tom sits.
Once you have considered the four Ps of **People, Paper, Parts** and **Places** you can pull together the information into an investigation plan, with timelines.

Then:

- Decide who and in which order you will see people and possible diary dates.
- Request any documents you need to be made available to you.
- If you may need to opinion of an expert in the field and can begin the search for an appropriate person early [the safeguarding senior practitioner will help and direct you with this].

4. **The Investigation plan**

28 days is the time scale for an investigation and by marking each day out in a calendar it is easier to plan to progress the investigation.

For example:

Day 1 - strategy meeting

Etc.


**Additional Information**

**Conducting interviews**

**The Obvious**

Ensure any interviews can happen without interruption

Switch off your mobile phone and suggest interviewee does the same

Interviews should not continue for more than an hour without a break

You should remain polite, calm and professional at all times.
The PEACE interview model.

The **PEACE** interview model is widely used as a format for conducting interviews in a wide range of types of investigation and enquiries.

- **Planning and Preparation**
- **Engage and explain**
- **Account, clarification, challenge**
- **Closure**
- **Evaluation**

1. **Planning and preparation**

   It is vital that you plan your interview in order to make sure you gain as much information as possible and you conduct the interview fairly and properly.

   **Consider**

   1. What is the purpose of the interview.
   2. Consider where you will conduct the interview.
   3. How long will the interview take, what time of day will it be held.
   4. What are the relevant rules, regulations, procedures or legislation?
   5. What evidence /information is already available to me.
   6. Where are the gaps in that information? What do I need to explore further?
   7. Who is the interviewee? What do I know about them already?
   8. Consider with the safeguarding senior practitioner whether or not to conduct a joint interview. If it is to be a joint interview, how will you manage it? Agree beforehand who is taking the lead.
   9. Consider what needs to be put in place to ensure the interviewee supported afterwards.
   10. Retain your notes of the interviews, ensure they are comprehensive – these are evidence.
   11. Review the investigation in relation to each allegation.
   12. What do you know so far? What is fact and what is assumption.
   13. What further information will help prove/disprove the allegations?
For each area begin with wide open questions. For example, say “can you tell me what happened starting from the time Tom’s son left the care home to the time you went off shift.”

Then drill down with specific probing open questions – why what, who, when, how...

Finish with closed questions, so what you are saying is.... As this allows planning and control. This is highly effective for people for whom communication is difficult.

2. **Engage and explain**

In order to conduct a fair and sensitive interview and to also get the most from an interview you need to ensure the interviewee feels as relaxed and comfortable, as possible. This requires you to explain to them:

- Your role and background.
- The reason and purpose of the interview including the legislative/procedural context.
- The format of the interview. Including approximate length, you will be taking notes, opportunities for breaks.
- It is always good practice to have water available and tissues to hand

This gives you the opportunity to set the tone, ensure everyone is clear about the purpose and place your authority on the process.

3. **Account, clarification, challenge**

This is the core part of the interview, as the interviewer ask the interviewee to give their account of what is being investigated. You should

- Clarify details with them,
- Ask them to explain any inconsistencies,
- And answer any concerns.

The answers that you are given may require you to challenge what has been said, now or later. Be clear about what you are challenging. This must be done calmly and assertively if needed.

Remember you are not there to pass judgement on the person you are interviewing you are there to gather and analyse the information they have shared. Re-interviewing may be required.
4. Closure

This is the part of the interview where you draw the meeting to a close. It is important that you should use this part of the interview to explain what will happen next and give the opportunity for questions about the process. You will be briefed about what may happen next by the Safeguarding Senior Practitioner. It may be that a decision will be taken about progressing to case conference. It may be that other HR processes may come into play. It is not within your role to offer reassurance around outcome or otherwise.

5. Evaluation

Once you have concluded the interview you should evaluate it. You do so by considering two key areas:-

- The information you gained through the interview.
- The evidence you have from your investigation as a whole.

The principal questions you should ask are:-

- How does this fit with other people’s accounts/evidence.
- Are there any discrepancies.
- Is any further questioning required?
- Should anyone else be interviewed as a result

Any individual who is interviewed should be provided with a summary/record of what they said in the meeting.

Concluding the investigation

Your findings should be based on your analysis of the evidence, information and the facts only.

You should do this by evaluating all the evidence that you have gathered in the interviews and all the information that you have collated as part of the investigation. This may result in you needing to go back and gain further information or re-interview a person(s).

Use the Weighing and analysing evidence template.

How to prepare and write a report

- Start drafting your report as you begin the investigation.
• It may help to draft the background to the allegation /concern and include the information from the alert before seeing other interviewees. This can focus the mind on the questions that you need to ask, and any gaps in your knowledge.

• When drafting a report remember that the report should be clear, factual, objective and concise. If there is a long chronology to the case consider putting it as an appendix to the report rather than in the body of the document.

• Introduce all the people that are discussed, and their role in relation to the allegation in the early paragraphs.

• Be consistent in your use of names. It is probably safer to use formal names and surnames throughout.

• Write the report in chronological order. Following each issue through to conclusion. If the evidence for a number of allegations that overlap, then indicate which allegation you are addressing list the pertinent findings. Consider your conclusions under each heading, and state your conclusion.

• The investigation template is numbered to separate out the allegations, if there are four allegations, for example, they are listed separately in each section of the report.

• When listing your conclusions separate out when you have found no evidence and when you have found evidence and what you are concluding on your professional judgement or probability.

• Remember to always distinguish between facts and hearsay.

Recommendations

Consider if there are any recommendations for systems or individuals, including any actions to be incorporated in the safeguarding plan.

If you have any questions about any of the above contact the Safeguarding Senior Social worker for support and/or advice. They are there to offer support and supervision with any safeguarding investigation that you undertake.

Appendix 1 – Interviewing Template

Appendix 2 - Template- Analysis of paper evidence

Appendix 3 – Analysing Evidence
Appendix 1

Template Interview recording

Interview Questions Recording

<table>
<thead>
<tr>
<th>Wide Open Question</th>
<th>Account</th>
<th>Any clarification/challenge</th>
<th>Evaluation Further info/evidence needed?</th>
<th>Next Steps</th>
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## Appendix 2 TEMPLATE – Analysis of paper evidence

### Paper: Gathering and analysing evidence

<table>
<thead>
<tr>
<th>Issue/allegation</th>
<th>Source 1</th>
<th>Source 2</th>
<th>Source 3</th>
<th>Concerns?</th>
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</thead>
<tbody>
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Appendix 3 Template – Analysing Evidence

Analysing evidence

- Assess actions taken as a result of decisions:
  - Were they appropriate and timely?
- Weighing the evidence
- Consider assessments, care plans and risk assessments. Are they well-written, thorough, user-focused, up to date?
- Triangulate\(^1\) – check and double-check

<table>
<thead>
<tr>
<th>Evidence</th>
<th>Issues? E.g. quality</th>
<th>Raises further questions</th>
<th>Conclusion/next steps</th>
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Weighing Evidence

Three key questions:

1. How reliable is it?
2. How relevant is it?
3. Is it corroborated?

\(^1\) validation of data through cross verification from two or more sources
- Fully
- Partially
- Not at all

Ensure all your evidence is triangulated.

Ultimately this weighing will inform whether or not the allegation is substantiated on the balance of probability.

**Reaching a conclusion for recommendation at Case Conference [only if responsible for investigating the whole allegation]**

For each allegation consider as whether or not on a balance of probabilities abuse has been proved. This will be considered at the Case conference.

**Substantiated** - I have clear evidence that this allegation is true.

**Not substantiated** – I have clear evidence that this allegation is untrue.

**Inconclusive** - The evidence does not allow us to reach a conclusion on the balance of probabilities.

Please note the Investigation Report and the recommendations will be considered at Case Conference.

The following table can be used to demonstrate an evidence-based approach.

**Weighing & using Evidence**
<table>
<thead>
<tr>
<th>Allegation</th>
<th>Evidence List</th>
<th>Reliable</th>
<th>Relevant</th>
<th>Corroborated</th>
<th>Conclusions</th>
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**Acknowledgement:** The Safeguarding Partnership Board thanks Emma Mortimer, Leeds City Council as this guidance is based on her work.